

Progress Report – US v Farias-Cardenas et al, 2-19-cr-00111

February 18, 2020

This progress report will contain information related to what discovery we've received, when we've received it, what type(s) we've received, and how much we've been able to organize.

The Following is a General Summary of Discovery:

Behind the Gavel was given discovery via encrypted discs and hard drives. It is our practice to begin discovery organization as soon as our budget has been formally approved by the supervising Circuit. We were informed that our budget was approved on August 01, 2019.

We have received 12 discovery disclosures to date:

August 21, 2019 Disclosure 1: 349 MB of total data

Received Through: encrypted hard drive

Raw Data: 151 files, 3,394 pages

Includes: Pleadings

September 5, 2019 Disclosure 2: 823 MB of total data

Received Through: disc

Raw Data: 1,067 files, 4,431 pages, 16:24:58 audio material

Includes: Wiretap Data

September 20, 2019 Disclosure 3: 1,192 MB of total data

Received Through: encrypted hard drive

Raw Data: 4,393 files, 2,616 pages

Includes: Subscriber Tolls, GPS pings and reports

September 20, 2019 Disclosure 4: 31 GB of total data

Received Through: encrypted hard drive

Raw Data: 613 files, 3,777 pages, 35:33:38 audio/video material

Includes: ATF exhibits

September 23, 2019 Disclosure 5: 4.5 GB of total data (not including Pole Cam footage)

Received Through: encrypted hard drive

Raw Data: 348 files, 25,636 pages

Includes: Phone downloads and reports

October 10, 2019 Disclosure 6: 4.4 GB of total data

Received Through: encrypted hard drive

Raw Data: 1,247 files, 9,711 pages, 9:16:45 audio/video material

Includes: Audio/video recordings, more Wiretap data, and more reports

November 7, 2019 Disclosure 7: 6.3 GB of total data

Received Through: encrypted hard drive

Raw Data: 460 files, 2,828 pages, 4:39:43 audio/video material

Includes: A/V recordings, agency reports, pleadings, search warrant photos and lab reports

November 20, 2019 Disclosure 8: 65.4 GB of total data

Received Through: encrypted hard drive

Raw Data: 3,926 files, 10,993 pages, 13:13:19 audio/video material

Includes: Agency Reports, Lab Reports, Evidence Receipts, phone downloads and shooting data

December 10, 2019 Disclosure 9: 7 GB of total data

Received Through: encrypted hard drive

Raw Data: 202 files, 1,771 pages, 14:13:59 audio/video material

Includes: Agency Reports, pleadings and exhibits

January 24, 2020 Disclosure 10: 1 MB of total data

Received Through: email

Raw Data: 1 file, 13 pages

Includes: TT2 order

February 7, 2020 Disclosure 11: 1 MB of total data

Received Through: email

Raw Data: 8 files, 8 pages

Includes: Lab Reports

February 14, 2020 Disclosure 12: 1 MB of total data

Received Through: email

Raw Data: 1 file, 1 page

Includes: Lab Report for exhibit 900

The Following is a General Summary of Organized Discovery:

To date, we have OCR'd all discovery pages. We have imported 3,008 documents containing approximately 182,762 pages to our organizational database. We will utilize this database to produce organized Phase 1 discovery. We will continuously update these numbers to accurately reflect our progress.

We have identified the following relevant case entities within those 182,762 discovery pages:

73	Person	93	Phone Numbers
3,008	Document	43	Vehicles
57	Place	196	Other (<i>firearms, phones, etc</i>)
615	Exhibit	509	Events
4,352	Wiretaps		

We have identified the following discovery types within those discovery pages:

9	Advice of Rights
283	Agency Reports
60	Audio
2	Business Records
9	Cell Phone Records
2	Consent to Search
59	Criminal History
1	Curriculum Vitae
5	E-mail
1	Employment Records
201	Evidence/Property Receipt
3	Facebook
24	Financial Records
7	Firearms Tracy Summary
93	Forensic Reports
7	GPS Data
2	Indictment
21	Information
13	Jpay Letter
100	Laboratory Reports
3	Letter
2	Medical Records
398	Photos
417	Placeholders
567	Pleadings
22	Property Records
3	Prosecution Recommendation
8	Public Utility Records
4	Redacted Document
9	Sketch
7	Snapchat

1 Subpoena Return
1 Summary
4 Title III
553 Transcript
57 Vehicle Information
50 Video

The Following is a Summary of Productions provided by Behind the Gavel to Defense Counsel:

September 30, 2019 Production #1:

We completed an initial discovery inventory and full text search index copied to the first USB drive, along with all processed discovery received and an organized Wiretap Hub. Drives were either personally delivered by BTG or picked up by counsel.

Number of Production #1 Drives delivered/picked up by Counsel: 17/17

November 19, 2019 Production #2:

Production #2 includes the processed Disclosures 1 - 6, organized via the Discovery Hub. Organized Wiretap data, GPS Pings and Toll data is also included. Counsel was notified via email on 11/18/19 that upon return of Production 1 drives, Production 2 can be provided to them on those same drives. On 12/02/19, counsel was notified that Production 2 drives were available to be picked up or could be requested to be mailed.

Number of Production #2 Drives delivered/picked up by Counsel: 9/19

January 7, 2020 Production #3:

Production #3 includes Discovery Disclosures 1 - 9, an updated Discovery Hub, the Relational Chart, and updated help guides, as well as the toll data and GPS data. Counsel was notified via email 01/07/20 that drives were available for pickup to local attorneys. Drives were mailed to out-of-town counsel 01/14/20.

Number of Production #3 Drives delivered/picked up by Counsel: 14/19

Documents disclosed following the release the production 3 were made available on De Novo

In addition to organizing discovery, Behind the Gavel offers training to all counsel and staff on the use of our products. We offered 2 “all-defense-counsel-invited” trainings during this case;

12/04/19 – Training on the use of De Novo (online)
Number of attorneys who participated in training: 5

01/16/20 – Training on Production 3 drive (in-person @ BTG office)
Number of attorneys who participated in training: 1